

## REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF  
Kenwood Apartments, STP06-032, ER 06-19-026

August 14, 2008

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
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Discussion:

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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Discussion:

There are no sensitive habitats or species within the proposed project area. The project site is entirely urban/developed and does not support native vegetation. As a Tier IV habitat, no on-site preservation is required and impacts to urban/developed do not require mitigation under the Biological Mitigation Ordinance. No impacts to wildlife corridors or linkages will occur as the project site does not support geological, topographic or habitat features that would function in a corridor capacity. Furthermore, the site is not classified as a Biological Resource Core Area as it is not within the Pre-Approved Mitigation Area, is not within or adjacent to a large block of undisturbed habitat, is not mapped as having high habitat value and does not support sensitive species. Given the current site conditions and the surrounding land uses, development of this project will not hinder the formation of a future preserve system.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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## Discussion:

The project will obtain its water supply from the Helix Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

**IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The <a href="#">Steep Slope</a> section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

***Wetland and Wetland Buffers:*** The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

***Floodways and Floodplain Fringe:*** The project is not within floodways or flood plain fringe as defined in the Resource Protection Ordinance.

***Steep Slopes:*** The average slope for the property is estimated to be less than 10 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property; therefore, the project is in conformance with the RPO.

***Sensitive Habitats:*** No sensitive habitat lands were identified on the site as determined on a site visit conducted by Tim Taylor on August 31, 2006. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.

**Significant Prehistoric and Historic Sites:** The property has been surveyed by County of San Diego certified archaeologist/historian, Gail Wright and it has been determined that the property does not contain any archaeological/ historical sites.

**V. STORMWATER ORDINANCE (WPO)**- Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES  
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NO  
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NOT APPLICABLE  
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Discussion:

A Stormwater Management Plan prepared by Allied Earth Technology (February 8, 2008) was reviewed by Department of Public Works staff. The document is substantially complete and complies with the WPO requirements.

**VI. NOISE ORDINANCE** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES  
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NO  
☐

NOT APPLICABLE  
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Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Staff has completed the review of the Kenwood Apartments Project and the Acoustical Analysis report prepared by Eilar Associates (dated May 23, 2007). The project consists of an 11,520 square foot building with eight rental apartments, HVAC units, private patios and a common use area. The project proposes eight private outdoor patios located to the east of the proposed apartment structure and a 1,200 square foot group usable area located to the north of the apartment structure. Based on the noise report, noise environment at the project site in the future will primarily be the result of future vehicle traffic traveling on Kenwood Drive and Helix Street. Future traffic 60 dBA CNEL noise contour has been modeled without the proposed apartment structure and is located 105 feet north from the Kenwood Drive centerline. Future traffic noise levels will be as high as 59.0 dBA CNEL at the private exterior patio of Unit 1. This value reflects the result of project design considerations consisting of a proposed 6-foot high wood or vinyl perimeter wall and proposed 3-foot high stucco wall enclosing each individual private outdoor patio area (Units 1 thru 7). Implementation of these project design noise barriers will ensure exposure to exterior noise sensitive land uses (private patios) to be below the 60 dBA CNEL sound level requirement pursuant to County Noise Element-4b. Pursuant to County Noise Element-4b, noise sensitive land uses are required to meet

an interior noise level of 45 dBA CNEL. Although interior noise evaluation to habitable units are evaluated at the time building plans are available, the proposed apartment development will be conditioned such that an interior noise analysis will be required prior to obtaining any building permit. Interior noise evaluations are typically reviewed at that time.

Operational use of the proposed apartment structure has also been evaluated within the noise report. The project site and surrounding land uses are zoned RU29 and subject to a one-hour average nighttime sound level of 50 dBA Leq at the boundary property lines. As part of the project design, a 6-foot high wood or vinyl perimeter wall and proposed 3-foot high stucco wall enclosing each individual private outdoor patio area (Units 1 thru 7) will be constructed. A total of eight ground-mounted split system HVAC units are associated with the apartment structure, with Units 1 through 7 occupying these units within each of their private patio areas. One remaining HVAC unit will be located southwest of Unit 8, immediately east of the proposed hallway. Anticipated noise levels produced by these HVAC units will be as high as 44.1 dBA Leq at the western property line which is considered less than significant. Therefore, incorporation of the project proposed 6-foot high wood or vinyl perimeter wall and proposed 3-foot high stucco wall enclosing each individual private outdoor patio area (Units 1 thru 7) will ensure that the proposed project will comply with County Noise Ordinance, 36.404 and County Noise Element-4b.